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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HUART, et al.
Appl. No. : 09/744,733
Filed : January 29, 2001

Title : FRICTION CLUTCH BEARING AN ELECTRIC
MACHINE ROTOR, IN PARTICULAR FOR A MOTOR
VEHICLE

Group Art Unit : 3747
Examiner : DOLINAR, A.
Docket No. : 01200.448

REPLY BRIEF UNDER 37 C.F.R. § 1.193

October 28, 2005

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's Answer mailed September 2, 2005, Appellant respectfully requests the Board of Patent Appeals and Interferences to consider the following additional arguments and reverse the decision of the Examiner in whole.

REMARKS

Regarding claim 1: The Examiner challenged Applicant's interpretation of the position of the second washer of the torsion damper, but did not dispute Applicant's argument that neither the first guide washer nor second guide washer is installed in the central recess of the reaction plate 3. Again, as clearly illustrated in Figure 1 of Uchida below, none of the washers of the torsion damper of Uchida is installed in the central recess of the reaction plate 3 because the torsion damper is mounted on the right side of the friction lining support.

Moreover, as recited in claim 1, the first guide washer (29) is integral with the support (21). Thus, the guide washer of Uchida that is only partially penetrates (however, not installed) in the central recess, should be interpreted as the first guide washer. Therefore, the second guide washer of Uchida is disposed outside the central recess of the reaction plate.

Therefore, Uchida does not meet this standard of anticipation.

Regarding claim 4: The Examiner alleges that the inclined portion recited in claim 4, "is defined by the rounded transition area at the innermost part of the peripheral wall defining the recess as shown in Figure 1 of Uchida et al."

While agreeing with Examiner that the pending claims must be given their broadest reasonable interpretation consistent with the specification, we trust that the

broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach, as stated in MPEP § 2111. Those skilled in the art would readily recognize that “the rounded transition area at the innermost part of the peripheral wall defining the recess as shown in Figure 1 of Uchida et al.” is called in the mechanical art a fillet. The Dictionary of Mechanical Engineering (1996 G.H.F. Naylor Fourth Edition) defines the word “fillet” as “a radius at the intersection of two surfaces.” In other words, “the rounded transition area” circled by the Examiner in Figure 1 of Uchida and showed in the Examiner’s Answer is not the inclined portion, but the fillet located at the intersection of two surfaces defining the recess, and as such would be interpreted by those skilled in the art.

It is well known to one of ordinary skill in the art that in a structural part having any sort of abrupt change in cross section, the maximum stress in that region will occur immediately at the change in section. It will be higher than the stress calculated on simple assumptions of stress distribution. Thus, forming fillets at the intersection of two surfaces is a common practice in the mechanical art necessary for lowering stress concentrations in the transition areas of structural parts, and cannot be confused with the inclined portion of the reaction plate.

Therefore, in addition to the above arguments regarding the rejection of claim 1, the Uchida fails to disclose the inclined portion of the reaction plate extended inwardly from the first annular portion and does not meet this standard of anticipation.

09/744,733


In re HUART, et al.

Regarding claim 26: The Examiner alleges that claim 26 does not specify the location of the clearance means relative to other elements with respect to the chignons. However, claim 26 recites the chignons as an element which the stator of the electric machine features in axial projection. Therefore, it is clear that the clearance means between the flywheel and the chignons is in the axial direction. As the stator of Uchida is disposed radially outside of the reaction plate 3, Uchida provides no clearance for chignons of the stator of the electric machine.

Therefore, in addition to the above arguments regarding the rejection of claim 1, the Uchida fails to provide any clearance for chignons of the stator of the electric machine and does not meet this standard of anticipation.

In view of the above reasons, it is respectfully submitted that this application is in condition for allowance, and the rejection of claims of the present invention should be overruled.

Respectfully submitted:
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